



BOARD OF COUNTY COMMISSIONERS SHELBY COUNTY, TENNESSEE

A G E N D A

JANUARY 22, 2007

*Commissioner Joe Ford, Chairman
Commissioner David Lillard, Chairman Pro Tempore
Commissioner Joyce Avery
Commissioner Henri E. Brooks
Commissioner Wyatt Bunker
Commissioner Mike Carpenter
Commissioner Sidney Chism*

*Commissioner George Flinn
Commissioner J.W. Gibson II
Commissioner James Harvey
Commissioner Deidre Malone
Commissioner Steve Mulroy
Commissioner Mike Ritz*

2:30 P.M. COMMISSION CONVENES

CALL TO ORDER Deputy Sheriff Orlando Freeman

**INVOCATION Dr. Bettye Alston
New Beginnings Church**

PLEDGE OF ALLEGIANCE

ROLL CALL

Approval of Minutes of Previous Session

**GIBSON December 18, 2006
ADOPTED**

C O N S E N T A G E N D A

Resolutions of Memorial, Sympathy and Commendation

Ordinances

**MALONE 1. ORDINANCE – SECOND READING – An Ordinance to
APPROVED adopt Supplement No. 30 to the Code of Shelby County,
Tennessee.**

**MALONE 2. ORDINANCE – SECOND READING – An Ordinance to
APPROVED amend Section 2-57, Subsection J of the Shelby County
Code of Ordinances relative to the identity of the *Record
Keeper of County Contracts*.**

RITZ
APPROVED

3. **JOINT ORDINANCE – FIRST READING – STA 06-001 CC**
A Joint Ordinance (STA 06-001 CC) amending the Memphis and Shelby County Subdivision Regulations, adopted by the Shelby County Board of Commissioners and the City Council of the City of Memphis on December 19, 1983, being Ordinance and Resolution No. 3352, so as to make certain changes therein by revising the requirements for *interconnections of public streets*.

Zoning and Subdivisions

RITZ
(DEFERRED
TO 02/05/07)

4. Resolution to release the bond that secured the improvements to Lost Creek P.D. (P.D. 04-381 CC).

RITZ
(DEFERRED
TO 02/05/07)

5. Resolution to release the bond that secured the improvements to Buckingham Farms P.D., part of Parcel O, Phase 28 (P.D. 95-310 CC).

Reports and/or Resolutions of Standing Committees

MALONE
ADOPTED

6. Resolution rescinding the sale of one delinquent tax parcel from Tax Sale(s) 97.3 pursuant to the provisions of the Tennessee Code Annotated, Section 67-5-2507.

MALONE
ADOPTED

7. Resolution approving Word Order under Master Agreement with CS3, Inc., for the provision of energy and maintenance services at the Shelby County Criminal Justice Center, appropriating funds for improvements in the amount of \$340,000.00 from the FY 2006/2007 Budget for CIP Project No. 101505, Criminal Justice Center.

MALONE
ADOPTED

8. Resolution to authorize the Shelby County Mayor to execute a contract extension with Pictometry, Inc., for aerial photography and software licensing for FY 2007/2008.

MALONE
(DEFERRED
TO 02/05/07)

9. Resolution approving settlement of civil rights lawsuit of Francine Humes.

MALONE
ADOPTED

10. Resolution approving settlement of civil rights lawsuit of Myra Wilkins.

MALONE
ADOPTED

11. Resolution approving settlement of civil rights lawsuit of Ronald Williams.

LILLARD (DEFERRED TO 02/05/07)	12.	Resolution authorizing Amendment Numbers 5 and 6 to Contract No. CA992518 with Fisher & Arnold, Inc., for the environmental approval and design of Fite Road from U.S. Highway 51 to Woodstock Boulevard and a bridge over the CNIC Railroad and to designate funds in the amount of \$36,566.00 from Encumbrance No. S007121 for Amendments 5 and 6.
LILLARD WITHDRAWN	13.	Resolution approving expenditure of funds by Shelby County Government to Panther Oil Company for the purchase of forty thousand (40,000) gallons of bio-diesel product in the amount of \$79,200.00.
FLINN ADOPTED	14.	Resolution requesting that the Charter of the Regional Medical Center be amended to add the Chairman of this Commission's Hospital and Health Committee as a voting member to the MED's Board.
CHISM (REMOVED TO REGULAR AGENDA) FAILED	15.	Resolution awarding the bid in the amount of \$165,420.00 to Chestnut Ridge Foam, Inc., for the purchase of foam mattress cores for the Shelby County Division of Corrections.
CHISM ADOPTED	16.	Resolution authorizing the Shelby County Division of Corrections to extend the "Lifting Voices" Life Skills for state and local prisoners program funded by the United States Department of Education in the amount of \$301,394.78 and authorizing contracts with Women in Community Service, Inc., and Philliber Research Associates.
CHISM ADOPTED	17.	Resolution authorizing the Shelby County Division of Corrections to enter into contracts with the Tennessee Department of Corrections, Rutherford County, and Philliber Research Associates in support of the "Change is Possible!" Life Skills for state and local prisoners program funded by the United States Department of Education.
RITZ (DEFERRED TO 02/05/07)	18.	Resolution approving a contract between Shelby County Government and Kimley-Horn and Associates, Inc., for the purpose of Kimley-Horn and Associates, Inc., preparing the federal mandated twenty year long-range transportation plan for the Memphis Metropolitan Planning Organization in the amount of \$603,000.00. Funding is eighty percent federal and twenty percent city/county.
FLINN ADOPTED	19.	Resolution approving the Delegate Contract between Shelby County Government on behalf of Shelby County Head Start and Porter Leath Children's Center for the grant year January 1, 2007 through December 31, 2007.

MULROY
ADOPTED

CONSENT AGENDA

REGULAR AGENDA

Elections, Appointments, and Confirmations

Ordinances

CHISM
(DEFERRED
TO 02/05/07)

20. **ORDINANCE – THIRD READING** - An Ordinance to amend Ordinance No. 41 entitled “Ordinance amending Section 10 of Shelby County Ordinance No. 13 in order to change the location of the Court from the Shelby County Criminal Justice Complex at 201 Poplar Avenue to the Shelby County Courthouse or any other location wherein the General Sessions Court of Shelby County is in session, relative to ordinance violations.”

Zoning and Subdivisions

Reports and/or Resolutions of Standing Committees

MALONE
ADOPTED

21. Resolution to amend the FY 2007 Operating Budget to provide \$100,000.00 for attorney fees from Commissioners' Contingency.

CHISM
(DEFERRED
TO 02/05/07)

22. Resolution to authorize the Shelby County Government to conduct a RFP process for the purpose of obtaining a consultant to conduct a study on the Shelby County Juvenile Court.

CHISM
(DEFERRED
TO 02/05/07)

23. Resolution determining the need and implementation of and appointment of the judge for the Second Division of the Juvenile Court of Shelby County, Tennessee, and directing the Shelby County Attorney to provide an opinion to the Shelby County Board of Commissioners regarding the method for the implementation of the Second Division.

HARVEY
(DEFERRED
TO 04/09/07)

24. Resolution approving retainage of a law firm for the purpose of initiating litigation against PC Sports, M.A. Mortenson Company, and/or Ellerbe Becket.

BROOKS
(DEFERRED
TO 02/19/07)

25. Resolution adopting new rules and regulations and bylaws, including membership requirements, for the new Beer Board; and directing the Shelby County Board of Commissioners to proceed with the appointment of new members to the new Beer Board.

**MULROY
(DEFERRED
TO 02/05/07)**

26. Resolution approving proposed legislation and requesting the Shelby County Legislative Delegation to introduce and support a legislative bill entitled “An Act to amend Tennessee Code Annotated, Title 49, Chapter 3, Section 315 (5) to authorize the County Trustee to distribute capital funds as prescribed by the county legislative body for specified periods without adhering to the Average Daily Attendance distribution requirement provided that the total distribution of funds at the end for he specified period equals the Average Daily Attendance distribution of funds.

**MULROY
(DEFERRED
TO 02/05/07)**

27. Resolution approving proposed legislation and requesting the Shelby County Legislative Delegation to introduce and support a legislative bill entitled “An Act to amend Tennessee Code Annotated, Title 49, Chapter 3, Section 1003 (c)(1) to authorize the County Trustee to distribute capital funds as prescribed by the county legislative body for specified periods without adhering to the Average Daily Attendance distribution requirement provided that the total distribution of funds at the end for he specified period equals the Average Daily Attendance distribution of funds.

**MULROY
ADOPTED**

28. Resolution approving proposed legislation and requesting the Shelby County Legislative Delegation to introduce and support a legislative bill entitled “An Act to amend Tennessee Code Annotated, Title 8, Chapter 20, Section 120, relative to *Sheriff’s Departments – Funding – Salaries and Employees.*”

**MULROY
ADOPTED**

29. Resolution by the Board of County Commissioners of Shelby County, Tennessee, requesting the Tennessee General Assembly enact legislation bringing Shelby County Government elected officials and covered employees within the reporting and enforcement regime set forth in the "*Comprehensive Governmental Ethics Reform Act of 2006.*"

**MULROY
ADOPTED**

30. Resolution approving proposed legislation and requesting the Shelby County Legislative Delegation to introduce and support a legislative bill entitled “An Act to Amend Tennessee Code Annotated, Title 5, Chapter 16, Section 101, relative to powers granted to counties”.

Announcements/Statements

Adjournment

**MULROY
ADOPTED**

31. Resolution of Adjournment to Monday, February 5, 2007, at 2:30 p.m.

[If you have any questions about this agenda, please call Steve Summerall, Chief Administrator, at 545-4301]